ORDER RECEIVED FOR FILING Date (2)/4/65

IN RE: PETITION FOR VARIANCE

N/S Illinois Avenue, 175' W of

the c/l of Brian Street (2820 Illinois Avenue) 13th Election District 1st Councilmanic District

Michael D. Chick, Jr., et ux

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 96-137-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2820 Illinois Avenue, located in the vicinity of Annapolis Road in Halethorpe. The Petition was filed by the owners of the property, Michael D. Chick, Jr., and his wife, Beatrice A. Chick. The Petitioners seek relief from Section 415.A.l.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (trailer {pop-up camper}) to be stored in the front yard in lieu of the required rear yard or side yard, a minimum 2.5 feet from the side property line and 8 feet from the front foundation line of the existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Michael Chick, Jr., property owner. Appearing as a Protestant in the matter was Stephanie Berg, a neighbor who resides across the street from the subject site at 2019 Illinois Avenue.

Testimony and evidence offered revealed that the subject property consists of 6,250 sq.ft., zoned D.R. 5.5 and is improved with a single family dwelling and an 11' x 10 detached garage. The Petitioner filed the instant Petition upon receipt of a zoning violation notice for the storage

of a small, pop-up camper in his front yard. Apparently, the violation was discovered during a routine check in the area by the Zoning Enforcement Mr. Chick testified that he has resided on the property for many years. He testified that he purchased the subject camper in 1978 and that he has stored this camper in his front yard for all of these years. The camper is 7 feet wide and approximately 18 feet long, when measured from the tow hitch to the rear of the camper. Mr. Chick testified that it is not possible to store this camper in the side yards of his property in that there is only 7 feet between the dwelling and the side property line on both sides. Furthermore, the topography of the land is such that severe slopes exist on both sides of the property making it difficult to maneuver the camper through the side yards to the rear of the property. In addition, Mr. Chick testified that he is not able to store the camper inside the garage, which is used to store other household items as well as lawn and garden tools and equipment. Mr. Chick noted that he has stored this camper in his front yard for the past 17 years without any complaint.

As noted above, Ms. Stephanie Berg, appeared at the hearing as a Protestant. Ms. Berg, however, was under the impression that Mr. Chick wished to store a large, driven recreational vehicle on his property, and did not realize that the Petition was for the existing pop-up camper. Ms. Berg testified that she has resided across from the subject property for the past five years. After learning that Mr. Chick was only seeking a variance to permit the continued storage of the small pop-up camper on his property, Ms. Berg had no objections and offered her support to Mr. Chick's request for variance. She testified that the small camper has never posed any safety or aesthetic concerns to her or any of the other neighbors.

Photographs of the property demonstrate that the pop-up camper is stored in the driveway close to the Petitioner's home, adjacent to a retaining wall which was installed due to the severe slopes on the property. The pop-up camper is not much taller than the retaining wall itself, and therefore, does not impede the visibility of motorists. Furthermore, storing the camper close to the house assures that it will not cause any traffic concerns.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special

circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of December, 1995 that the Petition for Variance seeking relief from Section 415.A.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (camper trailer) to be stored in the front yard in lieu of the required rear yard or side yard, a minimum 2.5 feet from the side property line and 8 feet from the front foundation line of the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited to the existing pop-up camper, approximately 7 feet wide by 18 feet long in dimension. In the event the Petitioners no longer store this camper on their property, the variance granted herein shall cease and terminate.

ORDER RECEIVED FOR FILING
Date

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

December 14, 1995

Mr. & Mrs. Michael D. Chick, Jr. 2820 Illinois Avenue Baltimore, Maryland 21227

(2820 Illinois Avenue)

RE: PETITION FOR VARIANCE
N/S Illinois Avenue, 175' W of the c/l of Brian Street

13th Election District - 1st Councilmanic District

Michael D. Chick, Jr., et ux - Petitioners

Case No. 96-137-A

Dear Mr. & Mrs. Chick:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

File

Ms. Stephanie Berg

2019 Illinois Avenue, Baltimore, Md. 21227

Printed with Soybean link

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2920 ILLINOIS AVENUE

. 177

which is presently zoned

10-131-11	RESIDENTIAL
This Petition shall be filed with the Office of Zoning Administration & De	
The undersigned, legal owner(s) of the property situate in Baltimore Coun-	ty and which is described in the description and plat attached
hereto and made a part hereof, hereby petition for a Variance from Section	S) 415 A. I A. T. AUMI- ARGERGATIONER
DEHICLE (TRAVER) TO BE STORED IN T	HE FRONT LAND IN LIGHT THE SING
VEHICLE (TRAVER) TO BE STERED IN TO HAMD WHILL STORAGE OF RECREATIONS	IL VEHICLEHUST BE TIET
THOU WHICH S TORAGE OF RECRET	To From the mone
THE SLDE PROPERTY LINE ? 8 FT. TO TO THE TOTAL YEARS OF THE ZONING Regulations of Baltimore County, to the Zoning Law of Baltimore	the least of the his formation line ch
IN THE THAT YAND	
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltim	ore County, for the following reasons: (indicate hardship or
practical difficulty)	AWAL VENICLE IN VAROI
0.7 DECEMBER	87477- V - 111-CC

THERE IS NOWAY TO PUT RECREATION SEE PITTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

			regal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee			Legal Owner(s)
(Type or Print Name)		<u> </u>	MICHAEL DALE CHICK, JR. (Type or Print Name)
Signature			Michael Dale Chick J. Boatrice A Chick
Address			(Type or Print Name) R A A A A A A A A A A A A
Si v	State	Zipcode	Signature N Chuck
Attorney for Petitioner			
(Type or Print Name)		 	2 8 2 0 1 L L L N 0 15 A V E. 4 10 - 6 3 6 - 4 4 7 5 Address Phone No
Signature			BALTIMORE, M.D. 2:227 City State Zipcode Name, Address and phone number of representative to be contacted
Address	Phone No		MICHAEL D. CHICK, JR.
Crty	State	Zipcode	2820 1141NOIS AUE. 410-636-4477 Address Phone No.
			OFFICE USE ONLY
		Append Administra	ESTIMATED LENGTH OF HEARING unavailable for Hearing
Printed with Soybean Ink		**************************************	the following dates Next Two Months ALLOTHER

96-137-A

NO ROOM TO DRIVE CAMPER AT SIDE OF HOUSE, 7'c	LEARNANCE AND
EMPER 15 8'WIDE,	
ALLEY IS 10 WIDE AND SLOPES WITH RUTS FOR RA	IN TO KEEP FROM
FLOODING NEIGHBORS HOUSE BY HEAVERANS, PHONE PO	ILE AT OTHER END
MAKING IT IMPOSSIBLE TO DRIVE THRU, ALLEY 10' WIS	OE MAKING IT
MPOSSIBLE TO BACK INTO YARD WITH CAMPER ON TR	AILER, TRAILER 15
REAVY TO MAN HANDLE	
	136

ZONING DESCRIPTION FOR 2820 ILLINOIS AVENUE

BEGINNING AT A POINT ON THE NORTH SIDE OF ILLINOIS AVE.

WHICH IS 50' WIDE AT THE DISTANCE OF 175' WEST OF THE CENTERLINE

OF THE NEAREST IMPROVED INTERSECTING STREET, BRIAN STREET

WHICH IS 50' WIDE. BEING LOTS #151 AND #152. BLOCK C,

SECTION #D.R.S.S IN THE SUBDIVISION OF BALTIMORE HIGHLANDS AS

RECORDED IN BALTIMORE COUNTY PLAT BOOK #2, FOLIO#379. CONTAINING

6250 \$\phi'. ALSO KNOWN AS 2820 ILLINOIS AVENUE AND LOCATED IN THE

13# ELECTION DISTRICT, 15 COUNCILMANIC DISTRICT

H, 136.

NOTICE OF HEARING

The Zoning Commissioner of Battimore County, by authority of the Zoning Act and Regulations of Battimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chasapeake Avenue in Towson, Maryland 21204 or, Room 118, Old Courthouss, 400 Washington Avenue, Towson, Maryland 21204 as follows:

1st Councilmanic Legal Owner(s): Michael Dale Chick, Jr. and Beatrice A. Chick 2820 Illinois Avenue N/S Illinois Avenue, 175' W of c/I Brian Street 13th Election District Case: #96-137-A (Item 136)

Variance: to allow a recireational vehicle (trialler) to be stored in the front yard in lieu of the side yard, which storage of recreational vehicle must be 2-1/2 feet from the side property line and \$ feet to the racr rear yard.

Hearing: Thursday, November 9, 1995 at 2:00 p.m. in Rm. 118, Old Counhouse.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County MOTES: (1). Hearings are MOTES: (1). Hearings are Handicapped Accessible; for special accommodations Please Call 887-353 (2) or information concerning the File and/or Hearing, Please Call 887-3391.

10/206 Oct 19

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

19 95

weeks, the first publication appearing on _ in Towson, Baltimore County, Md., once in each of ____ successive published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was

THE JEFFERSONIAN,

EGAL AD. - TOWSON

BALTIMON COUNT OFFICE OF FINANCE - F MISCELLANEOUS CA	REVENUE DIVISION	Nb.	3/04
	3-95. ACCOUNT	R-001-0	11 3150·
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Opinion of the second	03A0340294H 3A CO10:04A		*85.80
STRIBUTION HITE - CASHIER PINK - AGENCY Y	VALIDATION OR SIGNAT	TURE OF CASHIER	#136.



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, I	DIRECTOR
For newspaper advertising:		,
Item No.: 136 Petitioner: MICHAE	EL D. CHICK, JR	
Location: 2820 ILLINGIS AVENUE		
PLEASE FORWARD ADVERTISING BILL TO:		•
NAME: MICHAEL D. CHICK, JR		·
ADDRESS: 2820 ILLINOIS AVENUE		
BALTIMORE, MO. ZIZZZ		
PHONE NUMBER: 410-636-4475	ا ان جالان المحادية المالية الم	

TO: PUTUXENT PUBLISHING COMPANY
October 19, 1995Issue - Jeffersonian

Please foward billing to:

Michael D. Chick, Jr. 2820 Illinois Avenue Baltimore, MD 21227 636-4475

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-137-A (Item 136)

2820 Illinois Avenue

N/S Illinois Avenue, 175' W of c/l Brian Street

13th Election District - 1st Councilmanic

Legal Owner: Michael Dale Chick, Jr. and Beatrice A. Chick

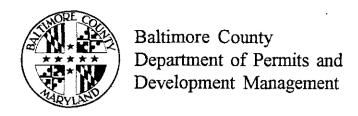
Variance to allow a recreational vehicle (trailer) to be stored in the front yard in lieu of the side yard, which storage of recreational vehicle must be 2-1/2 feet from the side property line and 8 feet to the rear of front foundation line in the rear yard.

HEARIN:G: THURSDAY, NOVEMBER 9, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 12, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

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CASE NUMBER: 96-137-A (Item 136)

2820 Illinois Avenue

N/S Illinois Avenue, 175' W of c/l Brian Street 13th Election District - 1st Councilmanic

Legal Owner: Michael Dale Chick, Jr. and Beatrice A. Chick

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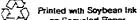
Arnold Jablon

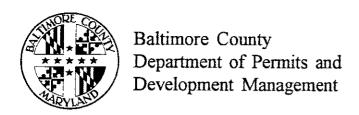
Director

cc: Michael and Beatrice Chick

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 2, 1995

Mr. and Mrs. Michael Chick, Jr. 2820 Illinois Avenue Baltimore, Maryland 21227

RE: Item No.: 136

Case No.: 96-137-A

Petitioner: M. Chick, Jr.

Dear Mr. and Mrs. Chick:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Oct. 18, 1995 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief Development Plans Review

RE: Zoning Advisory Committee Meeting for October 16, 1995
Items 134, 136, 137, 138, 142 and 144 5

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB: sw

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

ZABM - Joyce Watson

Post-It® Fax Note

DATE: 10/19/95

7671

Oate

FROM:

DEPRM

Development Coordination

SUBJECT:

Zoning Advisgry Committee

Item #'s:

Agenda: 10/2 and 10/10/95

To Joyce	Watson
Co./Dept' (つか)	M
Phone #	

5708

Co. Phone # Fax #

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

ZAC MIG of

Oct. 2

123 124

125

124 127

131

132

ZAC MITG of

Oct-10

141

142

LS:SD

LETTY2/DEPRM/TXTS8P

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

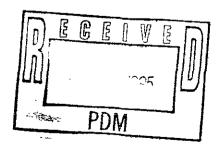
LOCATION: DISTRIBUTION MEETING OF OCT. 10, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 135, 136, 137, 138, 139, 140, 141, 142 AND 144.



REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

END THE TENDER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 4, 1995

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Sary W. Long

Item Nos. 123, 124, 125, 126, 131, (136) 137, 138, 140, 142, 143, and 144.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL



David L. Winstead Secretary Hal Kassoff Administrator

10-10-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 136 (JR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

Division

BS/es

PETITION PROBLEMS

#133 - MJK

1. No telephone number for legal owner.

#136 - JRA

1. No zoning on petition form.

#137 --- JRA

1. Folder was not marked critical area.

#139 -- MJK

- 1.
- 2.
- Receipt was not given to petitioner or attorney; still in folder. No address or telephone number for legal owner. Petition says zoning is "O-2"; folder says "OR-2" which is correct? 3.

#140 --- CAM

- No telephone number for legal owner. Petition says zoning is "DR55". 1.
- 2.

#141 - MJK

- Need printed name and title of person signing for legal owner, along with 1. power of attorney.
- 2. Need printed name and title of person signing for contract purchaser., along with power of attorney.

#142 — CAM

1. No review information on bottom of petition form.

#143 --- JJS

- 1. Need title of person signing for legal owner, along with power of attorney.
- Need telephone number for legal owner.

9/28/95

9 ALS8-95

I, THE UNDERSIGNED, HAVE NO OBJECTION TO MR. MICHAEL D. CHICK, JR.
PARKING HIS POPUP CAMPER IN HIS DRIVEWAY AT 2820 ILLINOIS AVE.

Storge G. Ret 2815 Illinois AUE
ROTH RITZ 2815 Illinois AUE
Rotert W. Spencer 2824 ILLINOIS AVE
Doris Collins 2813 Illinois Ovenue
Larence Collins 2813 Illinois Ovenue
Larence Collins 2813 Ill. Osc.
Donald Ford 2822 Illinois Ovenue
William & Hann 2818 1161 No18 AVE

SFP 28 1995

ZADM

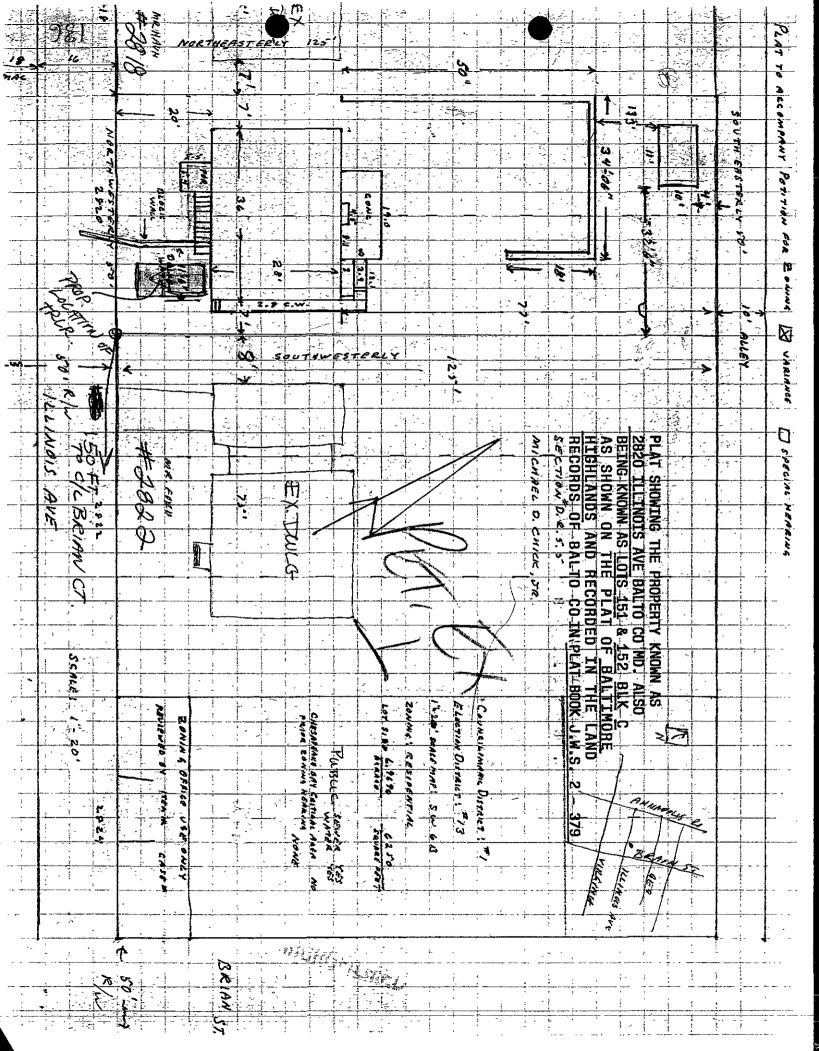
PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME	ADDRESS		
MICHAEL CHICK JR.	2820 ILLINOIS AVE		









Sloping yard. Phone pole in alley making it im possible to drive thru. Would have to tach up sloping alley and could not maneuver Camper and for in (0' wide alley to tach into yard. Alley has nuts for rain water not to flood neighbors house because of sloping land.



Those pole in alley towards amagolis Pd. cannot drive thru to end of alley, would have to boch up sloping alley that is 10' wide making it impossible to maneuver camper and vow in alley to place camper in yard.

96-137-A



Ordenalls are 7 and Alopena Camper is 8' wide





yard and 10' wide alley make it imposite to put camper in yord.



Stoping alley and marrowness of 10' alley make it impossible to put trailer in yard. Phone pole at other and of alley cannot drive their would have to both up alley.

IN RE: PETITION FOR VARIANCE N/S Illinois Avenue, 175' W of the c/l of Brian Street (2820 Illinois Avenue)

* DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY 13th Election District 1st Councilmanic District

* Case No. 96-137-A Michael D. Chick, Jr., et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2820 Illinois Avenue, located in the vicinity of Annapolis Road in Halethorpe. The Petition was filed by the owners of the property, Michael D. Chick, Jr., and his wife, Beatrice A. Chick. The Petitioners seek relief from Section 415.A.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (trailer {pop-up camper}) to be stored in the front yard in lieu of the required rear yard or side yard, a minimum 2.5 feet from the side property line and 8 feet from the front foundation line of the existing dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Michael Chick, Jr., property owner. Appearing as a Protestant in the matter was Stephanie Berg, a neighbor who resides across the street from the subject site at 2019 Illinois Avenue.

Testimony and evidence offered revealed that the subject property consists of 6,250 sq.ft., zoned D.R. 5.5 and is improved with a single family dwelling and an 11' imes 10 detached garage. The Petitioner filed the instant Petition upon receipt of a zoning violation notice for the storage

was discovered during a routine check in the area by the Zoning Enforcement Inspector. Mr. Chick testified that he has resided on the property for many years. He testified that he purchased the subject camper in 1978 and that he has stored this camper in his front yard for all of these years. The camper is 7 feet wide and approximately 18 feet long, when measured from the tow hitch to the rear of the camper. Mr. Chick testified that it is not possible to store this camper in the side yards of his property in that there is only 7 feet between the dwelling and the side property line on both sides. Furthermore, the topography of the land is such that severe slopes exist on both sides of the property making it difficult to maneuver the camper through the side yards to the rear of the property. In addition, Mr. Chick testified that he is not able to store the camper inside the garage, which is used to store other household items as well as lawn and garden tools and equipment. Mr. Chick noted that he has stored this camper

of a small, pop-up camper in his front yard. Apparently, the violation

As noted above, Ms. Stephanie Berg, appeared at the hearing as a Protestant. Ms. Berg, however, was under the impression that Mr. Chick wished to store a large, driven recreational vehicle on his property, and did not realize that the Petition was for the existing pop-up camper. Ms. Berg testified that she has resided across from the subject property for the past five years. After learning that Mr. Chick was only seeking a variance to permit the continued storage of the small pop-up camper on his property, Ms. Berg had no objections and offered her support to Mr. Chick's request for variance. She testified that the small camper has never posed any safety or aesthetic concerns to her or any of the other neighbors.

in his front yard for the past 17 years without any complaint.

Photographs of the property demonstrate that the pop-up camper is stored in the driveway close to the Petitioner's home, adjacent to a retaining wall which was installed due to the severe slopes on the property. The pop-up camper is not much taller than the retaining wall itself, and therefore, does not impede the visibility of motorists. Furthermore, storing the camper close to the house assures that it will not cause any traffic concerns.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special

Petition for Variance

which is presently zoned RESIDENTIAL

to the Zoning Commissioner of Baltimore County

for the property located at 2820 ILLINOIS AVENUE

THERE IS NOWAY TO PUT RECREATIONAL VENICLE IN YARO!

SEE PITTACHED

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 415 A . 1 A TO ALCOW A RECIDENTIAL OF THE FIGURE AND IN LIGHT THE SUBCEPTION ALL VEHICLE HULLY TO RAGE OF RECREATIONAL VEHICLE HULLY TO RECEPTION TO THE SUBCEPTION OF THE SUBCE

circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this July day of December, 1995 that the Petition for Variance seeking relief from Section 415.A.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (camper trailer) to be stored in the front yard in lieu of the required rear 'yard or side yard, a minimum 2.5 feet from the side property line and 8 feet from the front foundation line of the existing dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The relief granted herein is limited to the existing pop-up camper, approximately 7 feet wide by 18 feet long in dimension. In the event the Petitioners no longer store this camper on their property, the variance granted herein shall cease and terminate.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

> Deputy Zoning Commissioner for Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 837-4380

December 14, 1995

Mr. & Mrs. Michael D. Chick, Jr. 2820 Illinois Avenue Baltimore, Maryland 21227

RE: PETITION FOR VARIANCE N/S Illinois Avenue, 175' W of the c/l of Brian Street (2820 Illinois Avenue) 13th Election District - 1st Councilmanic District Michael D. Chick, Jr., et ux - Petitioners Case No. 96-137-A

Dear Mr. & Mrs. Chick:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

> Very truly yours, TIMOTHY M. KOTROCO

Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

2019 Illinois Avenue, Baltimore, Md.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltim to County. If We do scientify declare and affirm, under the penalties of perjuty, that time are the egia dwiter(s) of the property which is the subject of this Pet MICHAEL DALE CNICK, JR. Michael Wal Chick of Beatrice A Chick Yseatrice & Chick Addings for Petitioner 2820 ILLINOIS AVE. 410-636-4475 BALTIMORE, MD. 21227 Name Address and phone number or representative to be contacted MICHAEL D. CHICK, JR. 820 ILLINOIS AVE. 410-636-4475

96-137-A

NO ROOM TO DRIVE CAMPER AT SIDE OF HOUSE, T'CLE BENAMIE AND
CAMPER 15 8 WIDE
ALLEY IS 10 WIDE AND SLOPES WITH RUTS FOR RAIN TO KEEP FROM
FLOODING NEIGHBORS HOUSE BY HEAVYRANS, PHONE POLE AT OTHER END
MAKING IT IMPOSSIBLE TO DRIVE THRU ALLEY 10' WIPE MAKING IT
IMPOSSIBLE TO BACK INTO YARD WITH CAMPER ON TRAILER, TRAILER IS
TO REAVY TO MAN HANDLE

ZONING DESCRIPTION FOR 2820 ILLINOIS AVENUE

BEGINNING AT A POINT ON THE NORTH SIDE OF ILLINOIS AVE. WHICH IS 50' WIDE AT THE DISTANCE OF 175' WEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, BRIAN STREET WHICH IS 50' WIDE. BEING LOTS #151 AND #152. BLOCK C, SECTION DIR. 5.5 IN THE SUBDIVISION OF BALTIMORE HIGHLANDS AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #2, FOLIO#379. CONTAINING 6250 \$ ALSO KNOWN AS 2820 ILLINOIS AVENUE AND LOCATED IN THE 13 ELECTION DISTRICT, 15 COUNCILMANK DISTRICT

#, 136.

Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-137-A (Item 136) 2820 Illinois Avenue N/S Illinois Avenue, 175' W of c/l Brian Street 13th Election District - 1st Councilmanic Legal Owner: Michael Dale Chick, Jr. and Beatrice A. Chick

Variance to allow a recreational vehicle (trailer) to be stored in the front yard in lieu of the side yard, which storage of recreational vehicle must be 2-1/2 feet from the side property line and 8 feet to the rear of front foundation line in the rear yard.

HEARIN:G: THURSDAY, MOVEMBER 9, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCORDINATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on 10/19, 1995.

THE JEFFERSONIAN.

LEGAL AD. - TOWSON

BALTIMOR COUNTY, NOFFICE OF FINANCE - REVE		N. STAR
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NOTICE OF HEARING

hie Zoning Commissioner of Batimore County, by authority of the Zoning Act and Regula-tions of Batimore County will hold a public hearing on the

property identified herein in Room 106 of the County Of

fice Building, 111 W. Chesa-peake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Variance: to allow a recrea-tional vehicle (trailer) to be stored in the front yard in lieu

of recreational vehicle must be 2-1/2 feet from the side prop-erty line and 8 feet to the rear of front foundation line in the

Hearing: Thursday, November 9, 1995 at 2:00 p.m. in Rm. 118, Old Courthouse.

(2) or information concern-ing the File and/or Hearing, Please Call 887-3391.

Case: #96-137-A (Item 136) 2820 Illinois Avenue N/S Illinois Avenue, 17: W of c/l Brian Street 13th Election District

Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 2, 1995

Mr. and Mrs. Michael Chick, Jr. 2820 Illinois Avenue Baltimore, Maryland 21227

> RE: Item No.: 136 Case No.: 96-137-A Petitioner: M. Chick, Jr.

Dear Mr. and Mrs. Chick:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

WCR/jw
Attachment(s)



Department of Permits and

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR For newspaper advertising: Item No.: 136 Petitioner: MICHAEL D. CHICK, JR Location: 2820 ILLINOIS AVENUE PLEASE FORWARD ADVERTISING BILL TO: NAME: MICHAEL D. CHICK, JR ADDRESS: 2820 ILLINOIS AVENUE BALTIMORE, MO. ZIZZZ PHONE NUMBER: 410-636-4475

TO: PUTUXENT PUBLISHING COMPANY October 19, 1995Issue - Jeffersonian

Please foward billing to:

Michael D. Chick, Jr. 2820 Illinois Avenue Baltimore, MD 21227

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-137-A (Item 136)

2820 Illinois Avenue N/S Illinois Avenue, 175' W of c/l Brian Street 13th Election District - 1st Councilmanic

Legal Owner: Michael Dale Chick, Jr. and Beatrice A. Chick

Variance to allow a recreational vehicle (trailer) to be stored in the front yard in lieu of the side yard, which storage of recreational vehicle must be 2-1/2 feet from the side property line and 8 feet to the rear of front foundation line in the rear yard.

HEARIN:G: THURSDAY, NOVEMBER 9, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

10/19/1995 10:49 14108874

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

Development Coordination

SUBJECT: Zoning Advisory Committee Agenda: 10/0 and 10/10/95 Post-It Fax Note 7671 Cate 10/19/95 pages To Jayce Watson From Letty Sonn Co/Dept. PDM Phone # 3980

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

ZAC MITG of ZAC MTG of Oct-10 Ocr. 2 Item #'s: 142 143

LETTY2/DEPRM/TXTSBF

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Oct. 18, 1995 Zoning Administration and Development Management

Items 134, 136, 137, 138, 142 and 144 5

The Development Plans Review Division has reviewed

FROM: Robert W. Bowling, P.E., Chief Development Plans Review

for October 16, 1995

Zoning Advisory\Committee Meeting

the subject zoning items and we have no comments.

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF OCT. 10, 1995.

Item No.: SEE BELOW

Towson, MD 21204

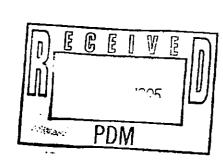
MAIL STOP-1105

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:135, 136, 137, 138, 139,
140, 141, 142 AND 144.



REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Permits and Development

DATE: October 4, 1995

FROM: Pat Keller, Director Office of Planning

Management

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 123, 124, 125, 126, 131 (136) 137, 138, 140, 142, 143, and 144.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

CITIZEN SIGN-IN SHEET

2820 ILLINOIS AVE

ITEM123/PZONE/ZAC1

PLEASE PRINT CLEARLY

Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Hal Kassoff Administrator

10-10-95

RE: Baltimore County Item No. 136 (JRA) Permits and Development Management

Dear Ms. Watson:

Ms. Joyce Watson

Baltimore County Office of

Towson, Maryland 21204

County Office Building, Room 109

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Ronald Burns, Chief Engineering Access Permits

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

#133 --- MJK

No telephone number for legal owner.

#136 --- JRA

No zoning on petition form.

#137 --- JRA

Folder was not marked critical area.

#139 --- MJK

Receipt was not given to petitioner or attorney; still in folder.

No address or telephone number for legal owner.

Petition says zoning is "O-2"; folder says "OR-2" - which is correct?

PETITION PROBLEMS

#140 --- CAM

No telephone number for legal owner. Petition says zoning is "DR55".

#141 --- MJK

Need printed name and title of person signing for legal owner, along with

Need printed name and title of person signing for contract purchaser., along with power of attorney.

#142 -- CAM

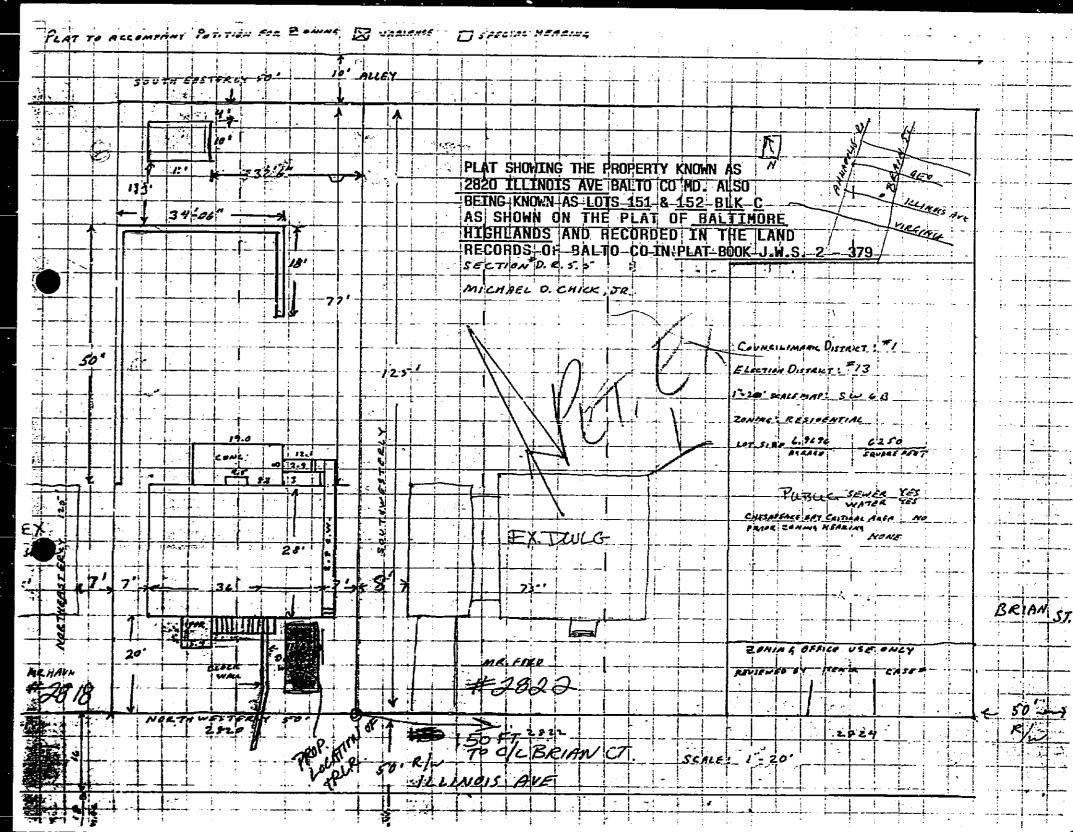
No review information on bottom of petition form.

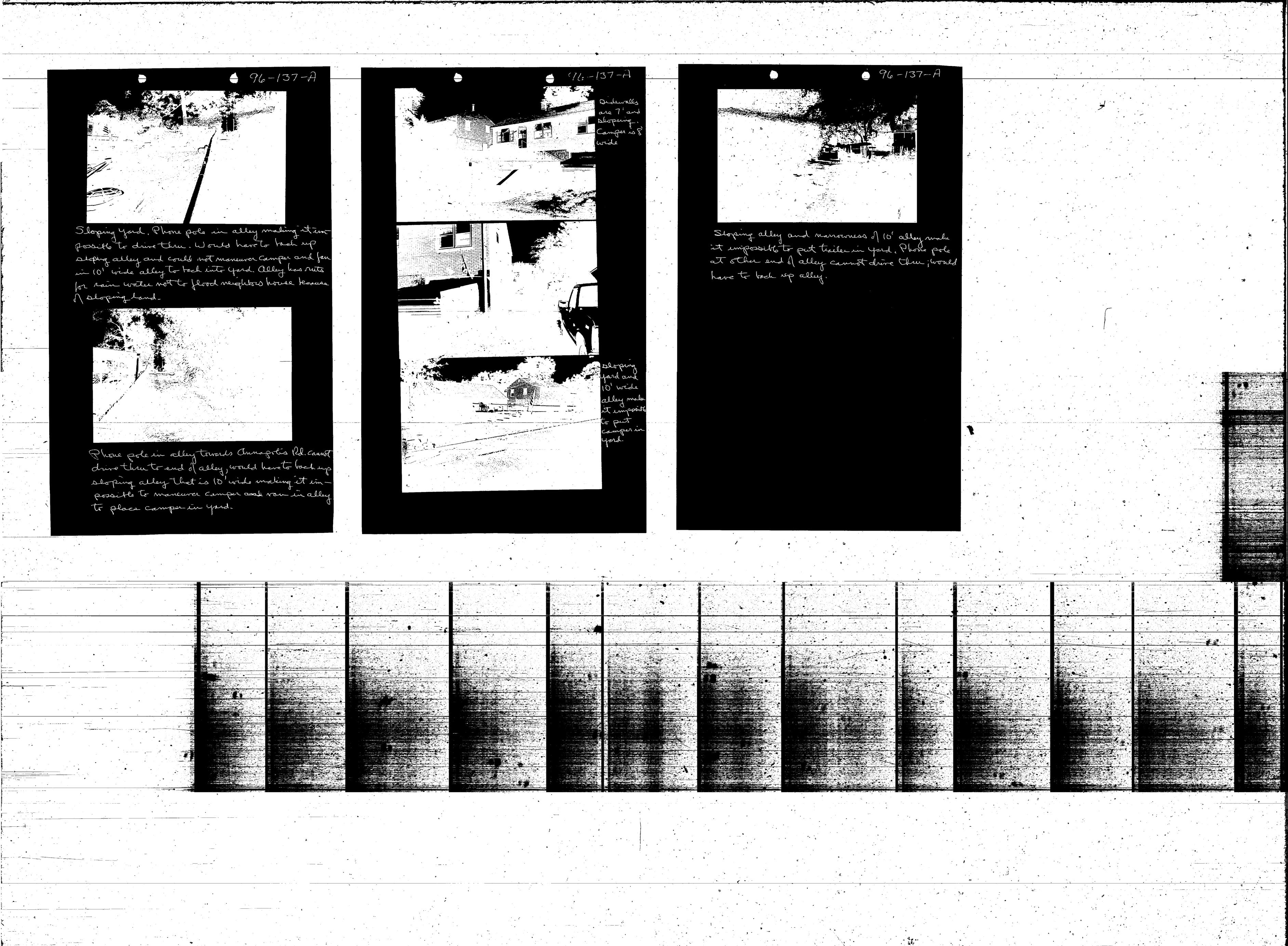
#143 -- JJS

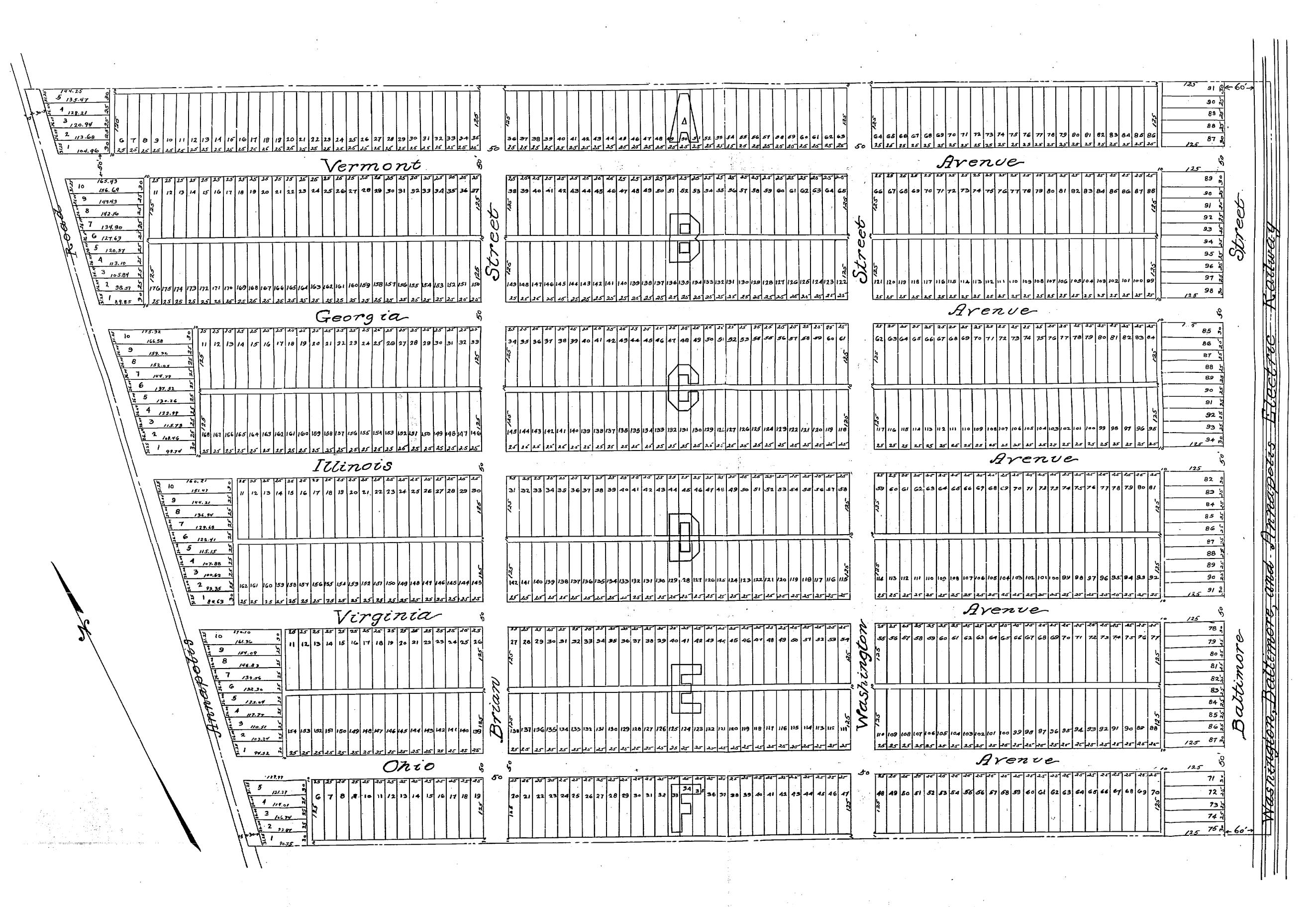
Need title of person signing for legal owner, along with power of attorney.
 Need telephone number for legal owner.

I, THE UNDERSIGNED, HAVE NO OBJECTION TO MR. MICHAEL D. CHICK, JR. PARKING HIS POP-UP CAMPER IN HIS DRIVEWAY AT 2820 ILLINOIS AVE. 2815 IlliNOIS AUE 2815 IlliNois AUZ 2824 /LLINOLS AUE. 2824 ILL NOIS AVE 2822 Allinois ave

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TRACED FROM ORIGINAL-FEBURRY 1967

J.W.S. Nº 2-PART 2-379

BALTIMORE COUNTY METROPOLITAN AREA

4-121-26

#136.

BALTIMORE

HIGHLANDS

Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION-PHILADELPHIA, PA





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC-MAP

PREPARED BY AIR PHOTOGRAPHICS, INC. MARTINSBURG, W.V. 25401

SCALE | = 200'±

DATE OF PHOTOGRAPHY JANUARY MONUMENTAL BALTIMORE HIGHLANDS S. W. 6-B